

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

Ron Glover Jr.

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

v. City of Benton Harbor, Benton Harbor Police
Department, Michael Steven Johnson, Berrien County Jail

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case: 2:22-cv-13136
Judge: Borman, Paul D.
MJ: Grand, David R.
Filed: 12-28-2022
PRIS GLOVER VS CITY OF BENTON HARBOR, ET AL (DP)

Jury Trial: ☐ Yes ☐ No
(check one)

**Complaint for Violation of Civil Rights
(Prisoner Complaint)**

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed *in forma pauperis*.

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Ron Glover Jr
All other names by which you have been known:
Lil Ron
ID Number 979717
Current Institution SXF
Address 9625 Pierce Rd.
Freeland, MI, 48623

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Michael Steven Johnson
Job or Title Former Benton Harbor Police Officer
(if known)
Shield Number _____
Employer Benton Harbor Police Department
Address Benton Harbor, MI, 49022

☒ Individual capacity

☒ Official capacity

Defendant No. 2

Name Benton Harbor Police Department
Job or Title
(if known) Police Department
Shield Number _____
Employer _____
Address Benton Harbor, MI, 49022

☐ Individual capacity ☒ Official capacity

Defendant No. 3

Name Berrien County Jail
Job or Title
(if known) Jail House
Shield Number _____
Employer Berrien County / City of Benton Harbor / St. Joseph
Address _____

☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name City of Benton Harbor
Job or Title
(if known) _____
Shield Number _____
Employer _____
Address Benton Harbor, MI, 49022

☐ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Due to the fourth amendment, I feel my rights were violated by Officer Steven Johnson by not having probable cause to detain me, then once I rode off on my bike he pursued me and hit me with his vehicle. He used excessive force by hitting me with his vehicle, then slamming me and pushing my face into the ground when I wasn't resisting.

My 8th amendment was violated by Officer Johnson and Berrien County Jail because I was not offered the proper medical attention. I was harassed by the guards at Berrien County Jail due to me having got a former Boston Harbor officer fired. I was also sentenced to a year due to the officer's actions.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

The officer's were acting under color of state or local laws,

because they were responding to a call about a guy stealing a lawn mower. They tried to detain me and I didn't even have a lawn mower, so I proceeded to ride off on my way home. I was chased down by Officer Johnson, an Officer Wagner and hit by the Police Truck. Once I was down the officer continued to hold his knee on my neck.

Benton Harbor Police Department was acting under color of State or Local laws, because they dispatched the officer's to a location close by me because of a call they recieved about a guy in a lawn mower. When the officer's tried to detain me I did not have a lawn mower. The officer's lied on the report and later officer Johnson was fired and Wagner suspended.

Berrien County Jail was acting under color of state or local law when I was being held there due to possible charge. I was denied the proper medical attention. Due to that I'm having unusual pain's in my back, leg's, and hip area from being hit by the Police SUV.

The City of Benton Harbor acted under state or local law due to them being the employer of the Police Officer's. First Amendment retaliation, fabrication of evidence, failure to supervise, and inadequate training.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

I was on my bicycle riding home going up Highland Street towards Highland Project's, it was close to 3 am. The officer's chased me and hit me with their vehicle, and once I was down he held his knee on my neck while I screamed for help. I was transported straight to the county jail, and wasn't allowed any medical attention.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

While being housed in Berrien County Jail I was denied medical attention to my wounds caused by Officer Johnson. I was fed things I was allergic to, and harassed by the officer's at the jail house cause in their words "I got one of them fired."

- C. What date and approximate time did the events giving rise to your claim(s) occur?

It was April of 2018, and it was about 2:00 am.

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I was run down by a Benton Harbor Police Officer, and after the arrest I was knicked on for a matter of minutes by the officer on camera. The officer Steven Johnson tried to detain me without probable cause, so I rode off in it resulted in me being hit by the police officer's SUV. Following him hitting me with the SUV he got out and put his knee on my neck and even after he cutted me he kept his knee there. I was denied the proper medical attention, and I also recieved harsh punishment for the officer's actions in a year in the County Jail. The officer's lied in there police report's and it was later reviled by officer Wagner in nation t.v. and lead to the termination of officer Michael Steven Johnson.

There where only 3 three officer's and me, but the officer's had on Body Camera's.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I recieved injuries to my leg's, arm's, hip area, an lower back area. I cant sleep on the right side of my body due to my sacrum bone in my back bein bent from the impact of the vehicle. I cant lift my leg above a certain height or climb up in down off of my bed. I was suppose to recieve physical therophy but the county denied me. Plus they denied me from the time I got to the jail house with open wound's until I left the proper medical treatment.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I am requesting money for pain an suffering. I haven't been able to work or gain employment since the incident due to being in jail an also because of my injuries. I cant lift anything heavy an im alway's having back pain's.

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

I was housed in Berrien County

Jail where I was harassed and treated unfairly.

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes

☒ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

E. If you did file a grievance:

1. Where did you file the grievance?

2. What did you claim in your grievance?

3. What was the result, if any?

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

There is no grievance process in Berrien County Jail.

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

we informed several nurses at the time of the incident, and we were told that they could only do what the county allowed them to do!!

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If so, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐ Yes

☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: December 18, 2022.

Signature of Plaintiff

Ron Glover Jr.

Printed Name of Plaintiff

Ron Glover Jr.

Prison Identification # 979717

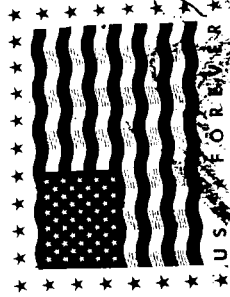
Prison Address 9625 Pierce Rd.

Freeland
City

MI
State

48623
Zip Code

Additional Information:



STAMPED

Office of the Clerk
United States District Court
221 W. Lafayette Boulevard, Fifth Floor
Detroit, MI, 48226

RECEIVED
DEC 28 2022
CLERK'S OFFICE
U.S. DISTRICT COURT

Name Ron Glover Jr.
Number 979717
Address 9625 Pierce Rd.
Address Freeland, MI, 48623